

**Morgan County Commission Meeting
August 2, 2017**

Members present:

Commissioner Joel Tuttle, President
Commissioner Robert Ford
Commissioner Ken Reed

Staff present: Jody McClintock, County Administrator and Ginger Johnson,
Commission Secretary

Public Present: Please see attached sign in sheet

The meeting was opened by Kimberly Nickles, Honorable County Clerk, at 9:30 a.m.

Approval of minutes

Commissioner Ford made a motion to approve the Commission meeting minutes from the July 19, 2017 Commission meeting. President Tuttle voted yea, Commissioner Ford voted yea and Commissioner Reed voted yea. Motion carried.

Assessor's Exonerations

Exoneration- Notice of apportionment of jointly owned vehicles – Jason Lethcoe

Commissioner Ford made a motion to approve the exoneration for Jason Lethcoe in the amount of \$634.58. President Tuttle voted yea, Commissioner Ford voted yea and Commissioner Reed voted yea. Motion carried.

Clerical Error Exonerations

Commissioner Ford made a motion to approve the exonerations due to clerical errors. President Tuttle voted yea, Commissioner Ford voted yea and Commissioner Reed voted yea. Motion carried.

Taxpayer Error Exonerations

Commissioner Ford made a motion to approve the three exonerations due to taxpayer error. President Tuttle voted nay, Commissioner Ford voted nay and Commissioner Reed voted nay. Motion denied.

Appointment to the EDA Board- Mark Garfinkel

Commissioner Reed made a motion to appoint Mark Garfinkel to fill a vacancy on the EDA Board. President Tuttle voted yea, Commissioner Ford voted yea and Commissioner Reed voted yea. Motion carried. This appointment is effective immediately and will expire December 31, 2017.

Approval to hire Full Time Employee for Assessor's Office

Commissioner Ford made a motion the hiring of Angela Stotler as a full time employee in the Assessor's Office. President Tuttle voted yea, Commissioner Ford voted yea and Commissioner Reed voted yea. Motion carried.

Reports**Debra McLaughlin- Prosecuting Attorney- County Employee Christmas Luncheon**

Debra McLaughlin approached the County Commission to discuss the County Employee Christmas Luncheon Party. Ms. McLaughlin requested closing the county offices for 2 hours so staff can get together and have a Christmas Luncheon Party. Ms. McLaughlin stated it will be like last year where employees each bring a pot luck dish and everyone gets together for a lunch. Ms. McLaughlin stated this is no cost to the county. The County Commission agreed and approved closing county offices on December 7, 2017 from 12 noon to 2 pm for a county employee Christmas luncheon.

Agenda Items**Kimberly Nickles, County Clerk- County Commission to approve moving or consolidating voting precincts**

Kimberly Nickles, County Clerk, approached the Commission and explained that due to the special road bond elections being held on the same day as the Apple Butter Festival, some of the voting precincts had to be moved. Ms. Nickles stated that Precincts 4,5,6,7 & 8 are moving to the Warm Springs Intermediate School and Precinct 25 is moving to the Bath House at Cacapon State Park. Commissioner Reed made a motion to approve moving and consolidating the voting precincts for this special election only. President Tuttle voted yea, Commissioner Ford voted yea and Commissioner Reed voted yea. Motion carried.

Pay Increase for poll workers

Ms. Nickles also requested to increase the pay for the poll workers for this special election from \$125 to \$150. Ms. Nickles stated that the increase is for the special election only. Commissioner Ford made a motion to approve the increase to \$150 for the poll workers for this special election. President Tuttle voted yea, Commissioner Ford voted yea and Commissioner Reed voted yea. Motion carried.

Vanessa Gentile & Tracy Cannon, Eastern Panhandle Protectors- Proposed Mountaineer Gas Pipeline

Tracy Cannon representing Eastern Panhandle Protectors requested the County Commission listen to concerns regarding the proposed Mountaineer Gas pipeline. Patricia Kesecker, Sharon Kerns Smith, Brent Walls and David Lillard approached the Commission to voice concerns.

Patricia Kesecker

Ms. Kesecker explained that Mountaineer Gas is suing her for eminent domain to place a gas line on her farm. Ms. Kesecker stated that the proposed gas line is planned to go down the middle of her farm and they are strongly opposed of this. Ms. Kesecker stated that the judge has ruled in favor of Mountaineer Gas and after

speaking with their attorney, they feel an appeal will not be productive. Ms. Kesecker stated that its time to change the eminent domain culture that is alive and well in West Virginia.

Sharon Kerns- Smith

Ms. Smith referenced a letter that was submitted from a former Commissioner stating that the County Commission is in support of the pipeline project. Ms. Smith explained that her property was once in the plan for the pipeline project and stated that the Mountaineer Gas Company had provided her with inconsistent information, showed her inaccurate maps and had planned to use her property for a construction zone. Ms. Kerns stated that now the plans have changed and her property is not in the path of the pipeline but she still urged the County Commissioners to get information from Mountaineer Gas and hold them accountable for their plans and actions.

Brent Walls

Mr. Walls, representing Potomac River Keeper Network, approached the Commission and stated his concerns of the natural gas pipeline. Mr. Walls stated that there could be pipeline failures, wetland affected and there are enormous risks. Mr. Walls also stated that this is not a benefit to the public and included that people can't afford to hook up to it.

David Lillard

Mr. Lillard, representing WV River Coalition, approached the Commission and urged the County Commission to look at the potential damage the pipeline could cause to the community. Mr. Lillard stated that pipeline construction has potential impacts on nearby water bodies due to failing sediment and erosion controls, inadvertent returns of drill mud when performing underground borings, and failure to contain accidental spills in karst terrain. Mr. Lillard urged the County Commission to consider the potential impacts and seek further information.

Sheriff KC Bohrer- Approval to hire Full Time Chief Deputy for Sheriff's Department

Sheriff Bohrer approached the Commission and requested approval to hire a full time Chief Deputy for the Sheriff's Department. Commissioner Reed made a motion to approve the hiring of Johnnie Walter as full time Chief Deputy under Sheriff Bohrer effective August 15, 2017. President Tuttle voted yea, Commissioner Ford voted yea and Commissioner Reed voted yea. Motion carried.

Lease agreement with Trump & Trump for parking lots along Fairfax Street & Mercer Street

Commissioner Reed made a motion to approve the lease agreement with Trump & Trump for the parking lots along Fairfax Street and Mercer Street. President Tuttle voted yea, Commissioner Ford voted yea and Commissioner Reed voted yea. Motion carried.

Consent Agenda

Commissioner Ford made a motion to approve the consent agenda. President Tuttle voted yea, Commissioner Ford voted yea and Commissioner Reed voted yea. Motion carried.

Administrator's Report**Approval of invoices for Nitro Electric**

Commissioner Reed made a motion to approve the invoice from Nitro Electric in the amount of \$121,331.15 for the Pines Opportunity Center new electrical service.

President Tuttle voted yea, Commissioner Ford voted yea and Commissioner Reed voted yea. Motion carried.

Commissioner Ford made a motion to approve the invoice from Nitro Electric in the amount of \$6,385.85 for the Pines Opportunity center new electrical service.

Recess

President Tuttle made a motion to recess the meeting. President Tuttle voted yea, Commissioner Ford voted yea and Commissioner Reed voted yea. Motion carried.



Morgan County Commission
77 Fairfax Street, Room 101
Berkeley Springs, WV 25411
304-258-8540

- COMMISSIONERS-

Joel Tuttle
134 Ridgewood Trail
Berkeley Springs
WV 25411
304-258-7958

Robert Ford
9 Barbecue Drive
Berkeley Springs
WV 25411
304-258-4178

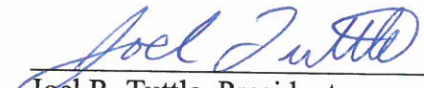
Ken Reed
4253 Martinsburg Rd
Berkeley Springs
WV 25411
304-258-8540

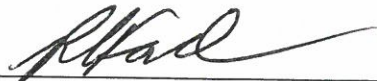
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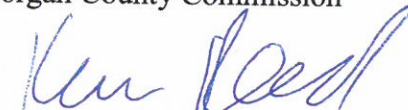
COURT ORDER

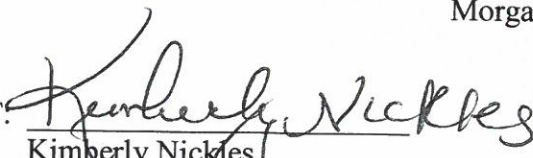
The Morgan County Commission hereby appoints **Mark Garfinkel** to fill a vacant seat on the **Morgan County Economic Development Authority Board**.

This appointment is effective immediately and will expire December 31, 2017.


Joel R. Tuttle, President
Morgan County Commission


Robert L. Ford
Morgan County Commission


Ken R. Reed
Morgan County Commission

ATTEST: 
Kimberly Nickles
Clerk of the County Commission

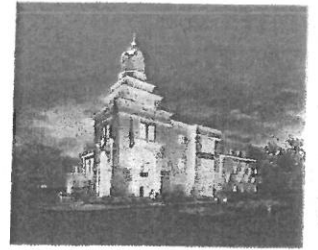


The County of Morgan

Office of the County Clerk

KIMBERLY NICKLES

77 FAIRFAX STREET, ROOM 102
BERKELEY SPRINGS, WV 25411
(304) 258-8547 FAX: (304) 258-8545



In The County Commission for Morgan County, West Virginia

Order Establishing Voting Precinct Location Changes

The Morgan County Commission have meet on the 2nd day of August, 2017, to adopt the Order for establishing the precinct locations for Precincts 4, 5, 6, 7 & 8 moving to the Warm Springs Intermediate School and Precinct 25 from Cabin 31 to The Bathhouse at Cacapon State Park due to the Apple Butter Festival and the Special Road Bond Election.

It is further Ordered that the Clerk of the County Commission shall place an attested copy of this Order among the permanent records for County Commission.

It is further Ordered that the Clerk of the County Commission shall send a notice by regular U.S. Mail to every registered voter in the county, whose precinct has been changed, advising of the change in his/her voting precinct just for this Special Election.

Joel Tuttle
President
Morgan County Commission

Robert L. Ford
Commissioner

Kenneth Reed
Commissioner

ATTEST

Kimberly Nickles
Clerk of the Morgan County Commission

Morgan County Commission

MEETING SIGN-IN SHEET

DATE: August 2, 2017				Sheet:	Of:
NO.	NAME	REPRESENTING	PHONE #	E-MAIL ADDRESS	
1	Lois & Tom Krum	Self			
2	Alice Lantz	Self & family		AJMLANTZ@GMAIL.COM	
3	Richard K. Dewell	Self		kudewell2006@Verizon.net	
4	bibi hahn	mother nature	540 656 6558	wv.bibi@cloud.com	
5	Sharon Kerns-Smith	Self	410-615-0984	shari.kerns@outlook.com	
6	Logan Reed	Self	301-279-7888	loganrx1@aol.com	
7	Daniel Vanleenen				
8	Erin Miller				
9	Barry Kesacker	Crossroads Gaming	304 258-0388		
10	Leo Kesacker	Crossroads Gaming	304 258-0171		
11	Patty Hupby	Self	304-258-0368		
12	Dawn Beal		301-331-8400		
13	Patricia Kesacker	Crossroads Gaming	304 258-3249		
14	Brant Wallis	Potomac Riverkeeper	443-480-8970	brant@potomacriverkeeper.org	
15	RICK WATSON		304 258 6880	RICK@WV@GMAIL.COM	
16	Larry Schut	Self	304 702 1811		
17	TRUL SIERN	Self	504-258-7486	terterpi@gmail.com	
18	Martha Shades	Self	505 385 0198	MMmartyMM@gmail.com	
19	Kate Shumway	Messenger			
20	LESLIE CART	Self	304 476 2329		
21	Mark Mathlase	Self	304 870-4588	greenhavenstudio.com	
22	Beth Jo Rockwell	Self	304-267-7038	bettyjo.bjr@gmail.com	
23	Paul & Donna Dethlefsen	Self	304-258-2644	137010626@yahoo.com	
24	Tracy Cannon	Self	304 616 0422	tracycannon27@gmail.com	
25	Ann Bristow	Self	301-689-9355	piperann@comcast.net	
26	Frank Rodgers	Cacapon Inst	258-8013	ci@cacaponinstitute.org	
27	Ann & Bill Tepper	Self	258-3995		
28	John Christensen	MTV SOLAR	754 6505		
29	Michael Bell	Self	304-279-0431	mikethelibrarian@gmail.com	
30	Cheryl Wulfe	Self	304-258-0669		
	Paula Moshube	Self	304 258 4454		
	Nico Makhub	Self	304-620-3065		
	Pamela Ellis	Sierra Club	304-404-4150	pamelanellis50@gmail.com	
	Tim Newton			t.newton@frontier.com	

Morgan County Commission

MEETING SIGN-IN SHEET

DATE:				
NO.	NAME	REPRESENTING	PHONE #	Sheet: Of: E-MAIL ADDRESS
1	Sandra Levesque	Eastern Panhandle	301.928.1297	Stevesque3@yahoo.com
2	Laura Steepleton	Eastern Panhandle Protectors		Lnsteepe@gmail.com
3	Mike Law	Eastern Panhandle Protectors		clawc@Hughes.net
4	Nicky Law	11		nylaw1@hughes.net
5	ANGELA PETRY	SELF	304.258.4454	angela.petry@frontier.com
6	Jennifer Carpenter	Self	304.258.7647	jen@jensays.com
7	Heather Haldeman			
8	DICK MYERS	OHSEM	304-268-4156	dmyers@morgancountywv.gov
9	Trish Strader	Journal		
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